



Rachael Lamkin <rdl@lamkinipdefense.com>

Re: BCS v. Codelathe

1 message

Rachael Lamkin <rdl@lamkinipdefense.com>

Fri, Jun 25, 2021 at 4:22 PM

To: randall garteiser <rgarteiser@ghiplaw.com>

Cc: Scott Fuller <sfuller@ghiplaw.com>, Chris Honea <chonea@ghiplaw.com>, Michael Smith <michaelsmith@siebman.com>

Randy,

With sincere regard, I think you are overreacting. I have proposed a solution, which is for Ray to withdraw because he is the GC and for Tom to file an amended complaint under his own name. Once that happens, we will not oppose a withdrawal.

Best regards,

Rachael

Rachael Lamkin

Lamkin IP Defense

916.747.6091

<https://www.lamkinipdefense.com/rachael-1/>

On Fri, Jun 25, 2021 at 2:35 PM randall garteiser <rgarteiser@ghiplaw.com> wrote:

These are unrelated. Your client can file an opposition to our withdraw. And this type of attempted leverage by your client, itself, seems sanctionable.

On Jun 25, 2021, at 7:58 AM, Rachael Lamkin <rdl@lamkinipdefense.com> wrote:

Randy,

We have a call Monday with Tom and my client engineer to discuss non infringement. That should result in a dismissal, mooted your request to withdraw. If not, my client will oppose your withdrawal because Ray is the GC and Tom signed the complaint as a member of your firm. As such, my client may not be sufficiently protected in a sanctions bid. One possible solution is to have Ray withdraw and have Tom sign an amended complaint but I am hoping this is all academic. Let's talk after Monday.

Rachael

Rachael D. Lamkin

916.747.6091

On Jun 24, 2021, at 4:26 PM, randall garteiser <rgarteiser@ghiplaw.com> wrote:

1. Yes, Ray Mort and Tom Fasone are both the attorneys of record for BCS.
2. Tom Fasone is no longer associated with Garteiser Honea since May 13, 2021.

On Jun 22, 2021, at 10:15 AM, Rachael Lamkin
<rdl@lamkinipdefense.com> wrote:

All,

I am speaking with my client about Randy and Scott's request this afternoon. In order to prepare for that conversation please advise: (1) is Ray Mort still the GC of Plaintiff BCS? and (2) Is Tom Fasone still an attorney at Garteiser?

Best regards,

Rachael

Rachael Lamkin
Lamkin IP Defense
916.747.6091
<https://www.lamkinipdefense.com/rachael-1/>

On Mon, Jun 21, 2021 at 12:02 PM randall garteiser
<rgarteiser@ghiplaw.com> wrote:

Rachael,

Scott and I of Garteiser Honea are withdrawing from this case. Please let us know if we can file our motion to withdraw unopposed.

Thanks,
Randy

On Jun 10, 2021, at 2:57 PM, Rachael Lamkin
<rdl@lamkinipdefense.com> wrote:

Thanks Scott. I spoke to Tom yesterday; he'll be getting back to me.

Best regards,

Rachael

Rachael Lamkin
Lamkin IP Defense
916.747.6091
<https://www.lamkinipdefense.com/rachael-1/>

On Thu, Jun 10, 2021 at 10:27 AM M. Scott Fuller
<sfuller@ghiplaw.com> wrote:

Rachael,

Please coordinate with Ray Mort and Tom

Fasone on this matter, if you have not done so already.

Please make note of Tom's new email address, which is copied here.

Best regards,

M. Scott Fuller
Partner - Garteiser Honea PLLC
903.705.7420 / sfuller@ghiplaw.com
119 West Ferguson, Tyler TX 75702
795 Folsom St., Floor 1, San Francisco CA 94107-4226
www.ghiplaw.com

On Mon, 7 Jun 2021 12:16:30 -0700,
Rachael Lamkin
<rdl@lamkinipdefense.com> wrote:

Randy, Scott,

Michael and I represent Codelathe in the BCS Software matters. Speaking plainly, my client wants me to start drafting a Rule 11 letter (see our non-infringement claim). I am frankly loath to send those kinds of letters. Maybe we can jump on the phone and talk settlement first?

Best regards,

Rachael

Rachael Lamkin
Lamkin IP Defense
916.747.6091
<https://www.lamkinipdefense.com/rachael-1/>